

Ex. 4-Contempt hearing & prep.

<u>DATE</u>	<u>NARRATIVE</u>	<u>TIME-KEEPER</u>	<u>HOURS</u>	<u>RATE</u>	<u>VALUE</u>
3/27/2023	4 emails with D. Berkley re P&G's request to ignore court order to obtain digital forensics expert	BCN	0.5	\$ 380.00	\$ 190.00
3/27/2023	Email to client re: P&G's "expert" report, likely problems from the Court's perspective, and recent testimony of Plaintiff Michael Clark	BCN	0.6	\$ 380.00	\$ 228.00
3/28/2023	Continue reviewing one page metadata report created by opposing counsel in preparation for attending case management conference and regarding specific deficiencies in report in preparation for notifying Court.	KAH	0.6	\$ 275.00	\$ 165.00
3/28/2023	Email to IT team requesting it advise of all inadequacies in meta-data report produced by P&G Construction	BCN	0.3	\$ 380.00	\$ 114.00
3/28/2023	Appearance at hearing with Judge York re: P&G Construction's failure to comply with Court order	BCN	0.3	\$ 380.00	\$ 114.00
3/28/2023	Draft lengthy email to client regarding update of case management conference hearing, including Court's Order re contempt hearing in-person requiring all parties to be present, deficiencies in one page report produced by opposing counsel regarding digital data associated with assignment of claim agreement and needed witnesses	KAH	0.9	\$ 275.00	\$ 247.50
3/29/2023	Review of candidates for presenting expert testimony at upcoming contempt hearing due to P&G's failure to obtain same	BCN	0.4	\$ 380.00	\$ 152.00
3/30/2023	Telephone conference with Page One to assess company's capabilities and abilities to serve client as expert witness at upcoming sanctions hearing on April 10	BCN	0.5	\$ 380.00	\$ 190.00
3/30/2023	2 emails with chambers and opposing counsel re: live testimony presentation at sanctions hearing and the Court's expectations that client pay for expert witness to be present for live testimony	BCN	0.3	\$ 380.00	\$ 114.00
3/30/2023	Begin drafting outline of proof to be presented to court re: sanctions against P&G and relief to be sought	BCN	1.2	\$ 380.00	\$ 456.00
4/3/2023	Telephone conference with T. Struttman, computer forensics expert, re: potential appearance at hearing on motion for sanctions	BCN	0.6	\$ 380.00	\$ 228.00
4/3/2023	Review of T. Struttman credentials and cases in which he has previously testified	BCN	0.4	\$ 380.00	\$ 152.00
4/3/2023	Email with T. Struttman re: potential appearance in action and designation of exhibits	BCN	0.3	\$ 380.00	\$ 114.00
4/3/2023	Email to client re: conversation with Cyber Agents and request for approval to hire	BCN	0.4	\$ 380.00	\$ 152.00
4/4/2023	2 emails with client re retention of Cyber Agents as expert in matter	BCN	0.1	\$ 380.00	\$ 38.00
4/5/2023	Email to expert, T. Struttman, re: Ohio Security's agreement to utilize him as expert witness in this matter	BCN	0.2	\$ 380.00	\$ 76.00
4/5/2023	Drafting of outline for direct questions for expert T. Struttman at sanctions hearing on April 10	BCN	0.9	\$ 380.00	\$ 342.00
4/6/2023	Telephone conference with T. Struttman in preparation for Motion for Sanctions Hearing	BCN	1.2	\$ 380.00	\$ 456.00
4/7/2023	Drafting of outline of oral argument re: sanctions against Plaintiff Mike Clark	BCN	0.8	\$ 380.00	\$ 304.00
4/7/2023	Drafting of outline of oral argument re: sanctions against P&G Construction Consultants, LLC	BCN	0.6	\$ 380.00	\$ 228.00
4/7/2023	Drafting of list of cross-examination questions related to ownership of P&G, service of process, awareness of Court order, and for William Griffin re upcoming hearing	BCN	1.2	\$ 380.00	\$ 456.00

Exhibit 4

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4/7/2023	Review of 10 documents produced by P&G Construction Consultants, LLC to determine full extent of scope of failure to produce	BCN	0.8	\$ 380.00	\$ 304.00
4/7/2023	Telephone conference with Trent Struttman re: preparation for hearing	BCN	0.2	\$ 380.00	\$ 76.00
4/7/2023	Email to Magistrate Judge York re: client's decision to have T. Struttman, expert, appear as a witness	BCN	0.2	\$ 380.00	\$ 76.00
4/7/2023	Review computer search report produced by opposing counsel re specific deficiencies in plaintiff's failure to comply with court order re digital forensics search and re relief sought at upcoming contempt hearing, including sanctions, attorneys' fees, dismissal of P&G, and permission to conduct additional forensics investigation of digital devices in possession of P&G and William Griffin.	KAH	0.5	\$ 275.00	\$ 137.50
4/10/2023	Travel to Jackson, TN for Sanctions Hearing Against P&G Construction Consultants, LLC (billed at half-rate)	BCN	2.5	\$ 190.00	\$ 475.00
4/10/2023	Return travel from Jackson, TN for Sanctions Hearing against P&G Construction Consultants, LLC (billed at half-rate)	BCN	2.5	\$ 190.00	\$ 475.00
4/10/2023	Attendance at Sanctions Hearing Against P&G Construction Consultants, LLC before Magistrate Judge York	BCN	5.4	\$ 380.00	\$ 2,052.00
4/10/2023	Preparation for cross-examination of Billie Griffin based upon late-produced affidavits from opposing counsel and designation of all exhibits re: same	BCN	1.1	\$ 380.00	\$ 418.00
4/10/2023	Preparation for cross-examination of Russell Perkins based upon late-produced affidavits from opposing counsel and designation of all exhibits re: same	BCN	1.2	\$ 380.00	\$ 456.00
4/10/2023	Telephone conference with T. Struttman, computer forensics expert, re direct examination testimony and questions re meta-data discovered in the Assignment of Claim	BCN	0.4	\$ 380.00	\$ 152.00
4/10/2023	Prepare for second continued contempt hearing, including identifying specific sanctions requested against third party P&G Construction Consultants, reviewing P&G's motion to exclude expert testimony, and response to P&G's motion to exclude expert testimony.	KAH	1.6	\$ 275.00	\$ 440.00
4/11/2023	Email to client and A. Clark re: results of contempt hearing, testimony of all three witnesses, continuation of matter, sharing of exhibit list, and upcoming next steps	BCN	1.5	\$ 380.00	\$ 570.00
4/11/2023	Draft outline of potential relief to be requested from Judge York at 2nd contempt hearing	BCN	0.4	\$ 380.00	\$ 152.00
4/11/2023	Email to Court reporter re: need for transcript from 1st day of contempt hearing and costs of same	BCN	0.1	\$ 380.00	\$ 38.00
4/11/2023	3 emails with T. Struttman re: results of initial hearing and options to address questions re: digital signature on Assignment of Claim	BCN	0.5	\$ 380.00	\$ 190.00
4/11/2023	Review of exhibits proffered so far in contempt hearing and evaluation of additional proof needed at future contempt hearing	BCN	0.3	\$ 380.00	\$ 114.00
4/11/2023	Conduct legal research re sanctions imposed where party forged document presented to Court, in preparation for attending second contempt hearing against Plaintiff and P&G Construction Consultants.	KAH	1.2	\$ 275.00	\$ 330.00
4/14/2023	Omnibus email to client re: missing electronic discovery from P&G, need for assistance and Plaintiff's standing	BCN	1.5	\$ 380.00	\$ 570.00

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4/14/2023	Review statement made by R. Mehidian and options to address same in cross-examination	BCN	0.7	\$ 380.00	\$ 266.00
4/14/2023	Draft outline of cross-examination of Plaintiff re: affidavit and comparison with prior deposition testimony	BCN	0.5	\$ 380.00	\$ 190.00
4/14/2023	Drafting of "standing" argument against Plaintiff due to Magistrate Judge York's request for same in recent order	BCN	0.5	\$ 380.00	\$ 190.00
4/17/2023	Review first 85 pages of M. Clark's deposition transcript to construct cross-examination questions and drafting of notes re: same for cross-examination at trial	BCN	2.4	\$ 380.00	\$ 912.00
4/17/2023	Review Westlaw information re: prior convictions of William Griffin to address his felony convictions, and more effort to search local news stories re: forgery conviction in 2002	BCN	1.2	\$ 380.00	\$ 456.00
4/17/2023	3 emails with client re: options to present supplemental testimony and relief to be requested at conclusion of contempt hearing	BCN	0.2	\$ 380.00	\$ 76.00
4/17/2023	Email to T. Struttman re: request for demonstrative aid and request for appearance at third contempt hearing	BCN	0.3	\$ 380.00	\$ 114.00
4/18/2023	Drafting of cross-examination questions of William Griffin to be asked at continued contempt hearing	BCN	0.4	\$ 380.00	\$ 152.00
4/19/2023	3 emails with T. Struttman re: demonstrative aid at trial	BCN	0.2	\$ 380.00	\$ 76.00
4/19/2023	Review of Motion in Limine re: prior convictions and admissibility of same against William Griffin	BCN	0.6	\$ 380.00	\$ 228.00
4/19/2023	Initial Preparation for cross-examination re: William Griffin including drafting outline of proof to be presented	BCN	1.3	\$ 380.00	\$ 494.00
4/19/2023	Review first 50 pages of Mike Clark's second deposition for purposes of cross-examination and questions re: same at upcoming trial	BCN	1.5	\$ 380.00	\$ 570.00
4/20/2023	4 emails with T. Struttman re: scope of testimony to be provided at Supplemental Contempt Hearing and information to be included in the Supplemental Report	BCN	0.4	\$ 380.00	\$ 152.00
4/20/2023	Email to Judge York's chambers re: request to present additional testimony from T. Struttman at Supplemental Contempt Hearing and information to be included in the Supplemental Report	BCN	0.2	\$ 380.00	\$ 76.00
4/20/2023	2 emails with opposing counsel sharing T. Struttman's supplemental report and addressing his objection to T. Struttman testifying at trial	BCN	0.2	\$ 380.00	\$ 76.00
4/20/2023	Preparation for the cross-examination of W. Griffin at supplemental contempt hearing, including review of his known criminal history	BCN	0.7	\$ 380.00	\$ 266.00
4/20/2023	Final preparation for Cross-examination of Plaintiff, Michael Clark including, final drafting of questions, designation of all relevant supporting citations in both depositions of Plaintiff, as well as his affidavit, and comparison of signatures or different versions of assignment of claim	BCN	2.8	\$ 380.00	\$ 1,064.00
4/21/2023	Draft outline of continued arguments to make during cross-examination of William Griffin	BCN	0.8	\$ 380.00	\$ 304.00
4/21/2023	Review 80 page deposition transcript of William Griffin in different case	BCN	0.7	\$ 380.00	\$ 266.00
4/21/2023	Review 6th Circuit precedent supporting Court's contempt finding against P&G Construction Consultants	BCN	1.0	\$ 380.00	\$ 380.00

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4/23/2023	Draft memo in support of Motion to Permit Additional Expert Testimony from Trent Struttman based on newly discovered evidence regarding the substance of the assignment of claim agreements produced by P&G's counsel.	KAH	3.1	\$ 275.00	\$ 852.50
4/23/2023	Begin drafting facts section of memo in support of Motion for Sanctions against P&G in light of P&G's failure to provide requested documents in response to subpoena, despite multiple hearings and court order requiring it to do so.	KAH	2.0	\$ 275.00	\$ 550.00
4/23/2023	Draft analysis section of memo in support of Motion for Sanctions Against P&G re P&G should be barred from substituting in as real party in interest due to bad faith conduct and expired deadline to do so as set forth in scheduling order.	KAH	1.0	\$ 275.00	\$ 275.00
4/23/2023	Draft analysis section of memo in support of Motion for Sanctions against P&G re that courts consistently award sanctions up to and including dismissal for failure to provide discovery responses.	KAH	2.3	\$ 275.00	\$ 632.50
4/23/2023	Draft analysis section of memo in support of sanctions against P&G, including request that P&G and William Griffin be prohibited from testifying as experts or providing estimates for repair due to their financial interest in outcome of litigation.	KAH	2.0	\$ 275.00	\$ 550.00
4/24/2023	Revisions to proposed Motion to Allow Mr. Struttman to present additional live expert witness testimony	BCN	0.6	\$ 380.00	\$ 228.00
4/24/2023	Travel to Jackson, TN to attend second day of sanctions hearing against P&G Construction Consultants (billed at half-rate)	BCN	2.5	\$ 190.00	\$ 475.00
4/24/2023	Return travel from Jackson, TN to attend second day of sanctions hearing against P&G Construction Consultants (billed at half-rate)	BCN	2.5	\$ 190.00	\$ 475.00
4/24/2023	Final drafting of cross-examination questions and designation of exhibits for use during testimony of William Griffin	BCN	1.5	\$ 380.00	\$ 570.00
4/24/2023	Attendance at second day of sanctions hearing, including cross-examination of Plaintiff Michael Clark and William Griffin	BCN	4.0	\$ 380.00	\$ 1,520.00
4/24/2023	Telephone conference with T. Struttman re options to address the likely testimony of R. Mehdian at contempt hearing	BCN	0.4	\$ 380.00	\$ 152.00
4/24/2023	Drive from Nashville to Jackson to attend second Contempt Hearing (billed at half rate)	KAH	2.0	\$ 137.50	\$ 275.00
4/24/2023	Drive from Jackson to Nashville following second Contempt Hearing (billed at half rate)	KAH	2.0	\$ 137.50	\$ 275.00
4/24/2023	Attend second day of contempt hearing. Second attorney presence approved by client	KAH	4.0	\$ 275.00	\$ 1,100.00
4/24/2023	Revise Motion to Dismiss Michael Clark for lack of standing, including referencing relevant portions of Clark's deposition testimony re declaring under oath that he signed an assignment of claim agreement with William Griffin and that he executed several agreements with William Griffin and including by clarifying the distinction between complete and partial assignment of claim agreements and the result on eliminating standing where complete assignment of claim occurs.	KAH	2.5	\$ 275.00	\$ 687.50
4/24/2023	Continue preparing for upcoming contempt hearing, including reviewing Motion in Limine filed by Plaintiff's counsel and preparing objections to Plaintiff's counsel's expert.	KAH	1.5	\$ 275.00	\$ 412.50
4/25/2023	Lengthy email to client re: results of second contempt hearing re: P&G's failure to produce documents	BCN	0.9	\$ 380.00	\$ 342.00
4/25/2023	2 emails with opposing counsel re: decision whether there will be a live witness presentation on May 1 or via Zoom as offered by the Court	BCN	0.2	\$ 380.00	\$ 76.00

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4/25/2023	Review W. Griffin testimony at hearing against prior transcripts in other cases re: same	BCN	0.4	\$ 380.00	\$ 152.00
4/25/2023	Drafting of direct examination questions for T. Struttman	BCN	0.5	\$ 380.00	\$ 190.00
4/26/2023	Telephone conference with T. Struttman re: upcoming hearing	BCN	1.6	\$ 380.00	\$ 608.00
4/26/2023	Draft outline of direct questions for T. Struttman	BCN	0.5	\$ 380.00	\$ 190.00
4/27/2023	Telephone conference with client re: Mike Clark and relief to request against Plaintiff and P&G Construction at conclusion of Contempt Hearing ordered by Judge York	BCN	0.4	\$ 380.00	\$ 152.00
4/27/2023	Draft outline of cross-examination questions for R. Mehdian at contempt hearing	BCN	0.7	\$ 380.00	\$ 266.00
4/27/2023	Draft outline of cross-examination questions for others who may have performed work on behalf of Micro Computer Systems, in event R. Mehdian is only owner	BCN	0.4	\$ 380.00	\$ 152.00
4/27/2023	Final drafting of outline of direct questions for T. Struttman re: supplemental testimony, including hash values, software used, and information re: digital signature	BCN	1.1	\$ 380.00	\$ 418.00
4/27/2023	Research re: federal law requiring expert who performed work/analysis to actually be presenter of proof at hearing in preparation for R. Mehdian testimony	BCN	0.5	\$ 380.00	\$ 190.00
4/28/2023	Preparation for third day of hearing on Motion for Contempt, including drafting of closing arguments	BCN	1.8	\$ 380.00	\$ 684.00
4/28/2023	Telephone conference with client re: final contempt hearing and sanctions to be sought	BCN	0.3	\$ 380.00	\$ 114.00
5/1/2023	Travel to Jackson, TN to attend day 3 of contempt hearing (billed at half-rate)	BCN	2.5	\$ 190.00	\$ 475.00
5/1/2023	Return travel from Jackson, TN to attend day 3 of contempt hearing (billed at half-rate)	BCN	2.5	\$ 190.00	\$ 475.00
5/1/2023	2 telephone conferences with client re: results of final contempt hearing	BCN	0.2	\$ 380.00	\$ 76.00
5/1/2023	Preparation for cross-examination of R. Mehdian and potential team members, including Bruce Ector, re Rule 704's requirement & education	BCN	0.9	\$ 380.00	\$ 342.00
5/1/2023	Final preparation for closing argument at contempt trial, including revisions to proposed closing arguments	BCN	1.4	\$ 380.00	\$ 532.00
5/1/2023	Appearance at contempt trial in Jackson, TN, with direct examination of T. Struttman, and cross-examination of R. Mehdian and B. Ector	BCN	3.2	\$ 380.00	\$ 1,216.00
TOTAL			104.7		\$ 33,530.00